

IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
N/S Walkway Court, 100 ft. W  
of Transverse Avenue  
4 Walkway Court  
15th Election District  
5th Councilmanic District  
Howard D. Akers, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-377-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Howard D. and Hannah I. Akers, for that property known as 4 Walkway Court in the Victory Villa Subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1801.2.C.1b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 20 ft. 5 inches in lieu of the required 25 ft., for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of June, 1993 that the Petition for a Zoning Variance from Section 1801.2.C.1b of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a front yard setback of 20 ft. 5 inches in lieu of the required 25 ft., for a proposed addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 4, 1993

Mr. and Mrs. Howard D. Akers  
4 Walkway Court  
Baltimore, Maryland 21220

RE: Petition for Administrative Variance  
Case No. 93-377-A  
4 Walkway Court

Dear Mr. and Mrs. Akers:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 8, 1993

Mr. and Mrs. Howard Dean Akers  
4 Walkway Court  
Baltimore, Maryland 21220

RE: Petition for Administrative Variance  
Case No. 93-377-A  
4 Walkway Court

Dear Mr. and Mrs. Akers:

Please correct the case number on your recently approved Petition for Administrative Variance to show 93-377-A, instead of 93-364-A. This was an error on our part. Sorry for the inconvenience.

Thank you for your courtesy and cooperation.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm



Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 4 WALKWAY CT BALTIMORE MD 21221  
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1801.2.C.1b. FRONT YARD SETBACK. TO ALLOW A FRONT YARD SETBACK OF 20.5' IN LIEU OF THE REQUIRED 25'

of the Zoning Regulations of Baltimore County; to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See ATT SHEET

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee  
(Type or Print Name)  
Signature  
Address  
City State Zip/City  
Attorney for Petitioner  
(Type or Print Name)  
Signature  
Address  
City State Zip/City

I/we do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.  
Legal Owner:  
Howard Dean Akers  
Hannah Dean Akers  
Hannah Ivy Akers  
Hannah Ivy Akers  
4 Walkway Court 6827670  
Baltimore Maryland 21220

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, Md., that the subject matter of this petition be set for a public hearing, advertisement, as required by the Zoning Regulations of Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

RECEIVED BY: 240 DATE: 4/17/93  
RECEIVED BY: 5/14/93

ITEM #: 388

Affidavit in support of  
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at 4 Walkway Court

Baltimore Maryland 21220

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (state reasons or practical difficulty)

See ATTACHMENT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Howard Dean Akers Hannah Ivy Akers

Hannah Dean Akers Hannah Ivy Akers

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss. I, Howard Dean Akers, being duly sworn, depose and say that the foregoing is true and correct to the best of my knowledge and belief.

I HEREBY CERTIFY, this 12th day of April, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

HOWARD DEAN AKERS, HANNAH IVY AKERS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-12-93

My Commission Expires: NOV 1/1994

April 8, 1993

TO WHOM IT MAY CONCERN:

I am in desperate need of additional space to be added to the front of my home. Here are some reasons why:

My living room is so extremely small, that the only furniture I have in this room is a couch, one chair, TV, small stereo table and a small plant table on which I have my lamp. When you come in the front door, you have to walk straight between the couch and chair to get to the kitchen or bedrooms. When we have family and friends over there is not enough room for everyone to sit all together in the living room. Some of them can sit in the living room and the rest of them have to sit in the kitchen. It is embarrassing when you are entertaining and everyone cannot sit all together.

As for the bedroom, it is in the same condition as the living room as we have just enough space to walk around the three pieces of furniture that exist in this room. The full size bed is in the corner which means when I change and make the bed I have to pull the bed out away from the wall (with having arthritis in my hands and arms it makes it very difficult for me) a small dresser and a storage cabinet. I am in great need of closet and storage space and we have such a tiny closet in this room we are not able to put very many things in it. I have to use some of this storage space for my linens because there is no space in my bathroom as the hot water heater takes up all of the room that could be used for a linen closet. When our family comes to visit, there is hardly enough room for them to maneuver around in this room. All you can do is walk in and out of this room. I plan with making this room larger to have the bed placed in the middle of the room, so I won't have to move it at all.

With my husband and I being in our seventies, these conditions make it difficult, as we are not able to do a lot of lifting or moving. It would be so greatly appreciated, if we were able to have more space so our daily needs could be more convenient for us.

I really appreciate your consideration in this matter.

Very truly yours,

Howard Dean Akers Hannah Ivy Akers

Howard D. Akers &  
Hannah I. Akers  
4 Walkway Court  
Baltimore, Maryland 21220

220 4/17/93  
ITEM # 388

ZONING DESCRIPTION FOR 4 WALKWAY CT  
Election District 15 Councilmanic District 5

Beginning at a point on the NORTH side of 4 WALKWAY CT (north, south, east or west)

which is 60' (number of feet of right-of-way width)

wide at a distance of 100' of the (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street TRANSVERSE AVE. (name of street)

which is 80' wide. "Being Lot # 489" (number of feet of right-of-way width)

Block 1 Section 1 in the subdivision of VICTORY VILLA (name of subdivision) as recorded in Baltimore County Plat

Book # 22 Folio # 103, containing

5000 Sq. Ft. (square feet and acres)

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 22, Folio 103" and include the measurements and directions (setback and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

220 4/17/93  
ITEM # 388

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 127 Date of Posting: 5/14/93  
Posted for: Howard & Hannah Akers  
Petitioner: (H) N/S Walkway Ct., Dr. of Transverse  
Location of property: Transverse Ave. Property to be used  
Location of Sign: Transverse Ave. Property to be used  
Remarks: None  
Posted by: [Signature] Date of return: 5/21/93  
Number of Signs: 1

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
May 24, 1993

Mr. and Mrs. Howard Dean Akers  
4 Walkway Court  
Baltimore, MD 21220  
RE: Case No. 93-377-A, Item No. 388  
Petitioner: Howard Dean Akers, et ux  
Petition for Administrative Variance

Dear Mr. and Mrs. Akers:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 27, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Maryland Department of Transportation**  
State Highway Administration  
O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator  
Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
Re: Baltimore County  
Item No. \*388(LEO)  
5-11-93

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* Bob Small  
John Contestable, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_

Telephones for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-5451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: May 18, 1993  
SUBJECT: 4 Walkway Court

INFORMATION:  
Item Number: 388  
Petitioner: Howard Dean Akers  
Property Size: \_\_\_\_\_  
Zoning: DR 5.5  
Requested Action: \_\_\_\_\_  
Hearing Date: \_\_\_\_\_

**SUMMARY OF RECOMMENDATIONS:**

Should the applicant's request be granted, staff recommends that approval of the request be subject to a condition that any improvement be generally compatible with the built environment of the neighborhood.

Prepared by: Jeffrey M. Long  
Division Chief: Carol L. Kerns  
PK/JL:lw

388, ZAC/ZAC1

Pg. 1

**receipt**  
Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Date: 4/27/93  
Howard Akers  
N/S Walkway Ct. 100' W. of  
Transverse Ave.  
010' ADMIN. VARIANCE 4 50.00  
000' POSTING 35.00  
TOTAL 85.00  
01A01N0123MCHRC \$85.00  
BA C01109AMD4-27-93  
Please Make Checks Payable To: Baltimore County  
Cashier Validation

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee. Date: May 11, 1993  
FROM: Captain Jerry Pfeifer  
Fire Department  
SUBJECT: Comments for 05/12/93 Meeting

- Item 386 Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.
- Item 387 No Comments
- Item 388 No Comments
- Item 389 No Comments
- Item 390 No Comments
- Item 391 Site shall comply with applicable provisions of the Baltimore County Fire Prevention Code.
- Item 392 No Comments
- Item 393 No Comments
- Item 394 No Comments
- Item 395 Townhouses for which the initial building permit was applied for after July 1, 1992 are required by State Law to be sprinklered.

**RECEIVED**  
MAY 12 1993  
ZADM

CPS-008

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204 MAY 6, 1993 (410) 887-3353

Howard and Hannah Akers  
4 Walkway Court  
Baltimore, Maryland 21220

Re: CASE NUMBER: 93-377-A  
4 Walkway Court

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 16, 1993. The closing date (June 1, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

*Carl J. [Signature]*  
Arnold Jablon  
Director

Printed on Recycled Paper

**Plat to accompany Petition for Zoning Variance** ☒ Variance ☐ Special Hearing  
PROPERTY ADDRESS: 4 WALKWAY CT  
Subdivision name: VICTORY VILLA  
Plat books: 22, Letter 4.3, June 1969, section 1  
OWNER: HOWARD & HANNAH AKERS  
**93-377-A**  
*Pet No 1*  
North  
date: 4-26-93  
prepared by: D. SMALL  
Scale of Drawing: 1" = 30'  
LOCATION INFORMATION  
Election District: 15  
Councilmanic District: 5  
1"-200' scale map:  
Zoning: DR 5.5  
Lot size: 11 5000  
acreage square feet  
SEWER: ☐  
WATER: ☐  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings: NONE  
Zoning Office USE ONLY  
reviewed by: ITEM # 388  
date: 4/27/93



93-377-A



93-377-A



93-377-A

